Improvement Res. No. 1350-1973

Vacation of Locust St... west right of way of Pine St.

Resolution Adopted:

Sept. 27, 1973

Confirmed:

Oct. 25, 1973

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

Dec. 13, 1973

B.O. 83-1969

DECLARATORY RESOLUTION NO. 1350-1973

for the vacation of Locust Street from the west right of way line of Pine Street to its western terminus.

ADOPTED: September 27, 1973

ADVERTISE NOTICE TO PROPERTY OWNERS: Oct. 5 & 12, 1973

NOTICES MAILED: October 12, 1973

HEARING ON CONFIRMATION: Thurs. Oct. 25, 1973 at 3:30 pm

CONFIRMED: October 25, 1973

ASSESSMENT ROLL ORDERED: 10-25-73

ASSESSMENT ROLL APPROVED: November 19, 1973

HEARING ON CONFIRMATION OF A. R.: Thurs. Dec. 13, '73 at 3:30 p.m.

NOTICE SERVED: December 3, 1973

ASSESSMENT ROLL CONFIRMED. December 13, 1973

COMPLETE

60-73-7 9/27/73

DECLARATORY RESOLUTION No. 1350 19 73

For the Vacation [redacted] of Locust Street from the west right of way line of Pine Street to its western terminus.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Locust Street from the west right of way line of Pine Street to its western terminus.

All as shown by a plan of such proposed Vacation [redacted] as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana

The cost of said Vacation [redacted] shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such Vacation [redacted] Lots 12 to 15 inclusive, Lots 28 to 33 inclusive, all in Sturgis Second Addition, said Addition is inclusive to the City of Fort Wayne, Indiana

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5) % per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by said above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

The vacation of the above described street shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other public utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.

All Streets, lots and lands affected by the above described vacation are situated in the northwest quarter Section 11, Township 30 North, Range 12 East and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 27th DAY OF September, 19 73.

Attest:
Secretary Board of Public Works.

Ronald L. Bonar

Board of Public Works.

MAY 27 1969

5/28/69

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE BOARD OF PUBLIC WORKS OF THE CITY OF FORT WAYNE

AND

THE CITY PLAN COMMISSION

PETITION TO VACATE A STREET

1. That this petition involves Locust Street from the western edge of Pine Street, a distance of approximately one-half of a block to its western terminus.

2. That the subject street is completely surrounded by property owned by the petitioner, that is, Lots 12 through 15 and Lots 28 through 33 of Sturgis Second Addition to the City of Fort Wayne.

3. That the subject street deadends at its western terminal and currently affords no access of any kind to any person, is not used by any person other than the petitioner, and serves no public useful function whatsoever.

WHEREFORE, the undersigned respectfully prays that this street be vacated.

ERIE MATERIALS CORP.

By _____
Maurice G. Stoller, President

STATE OF INDIANA, COUNTY OF ALLEN, SS:

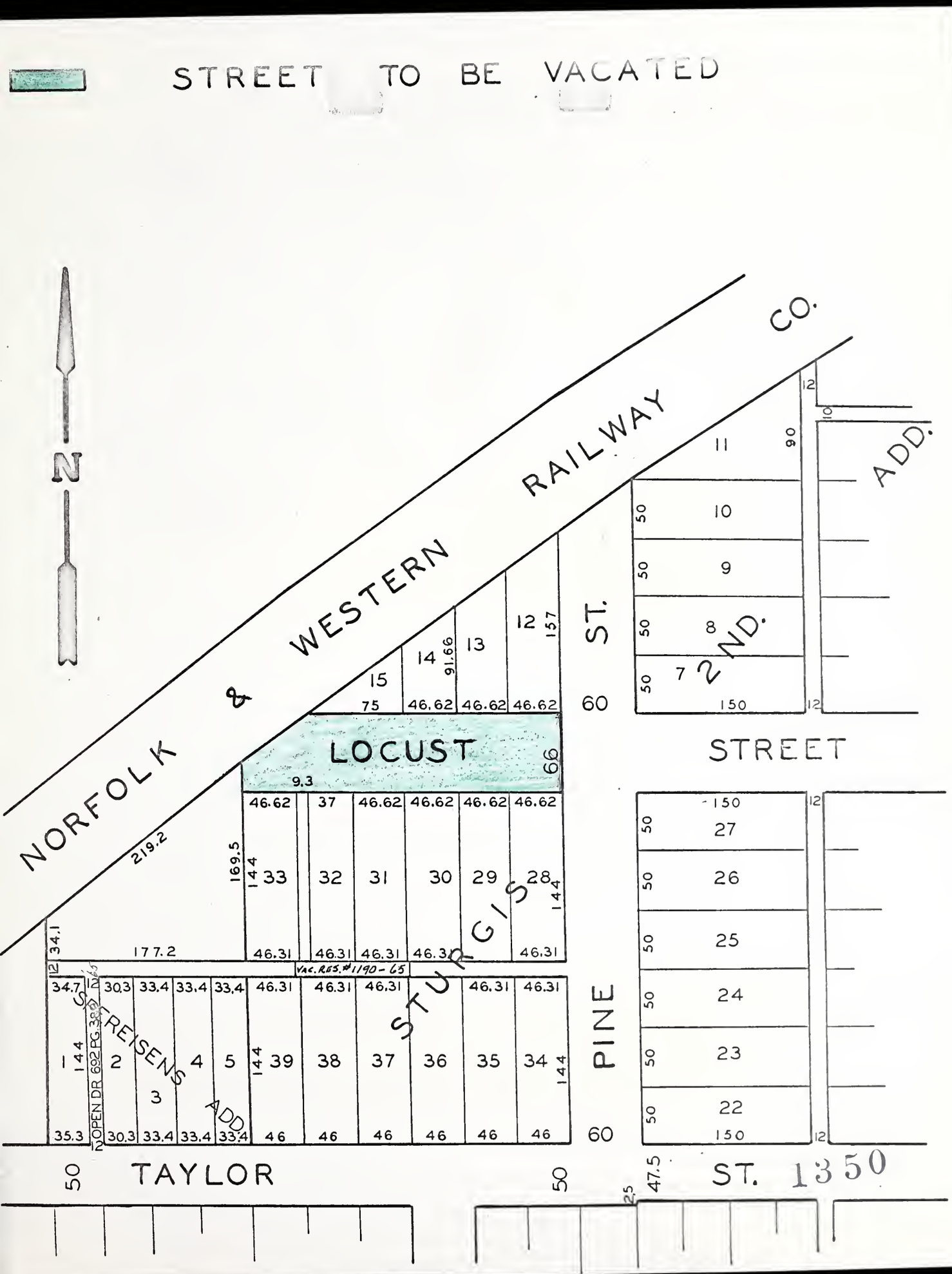
The undersigned, being first duly sworn upon his oath, deposes and says that Erie Materials Corp., an Indiana corporation, is the owner of Lots 12 through 15 and Lots 28 through 33, in Locust Street, and a tract immediately west of the terminal of Locust Street, constituting all of the adjacent real estate to the portion of Locust Street which the petitioner requests be vacated.

_____
Thomas D. Logan

Subscribed and sworn to before me this 20th day of May, 1969.

_____
Alvina Lehr, Notary Public

My commission expires:
May 13, 1971


STREET TO BE VACATED
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NORFOLK & WESTERN RAILWAY CO.
LOCUST
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VAC. RES. #1190-65
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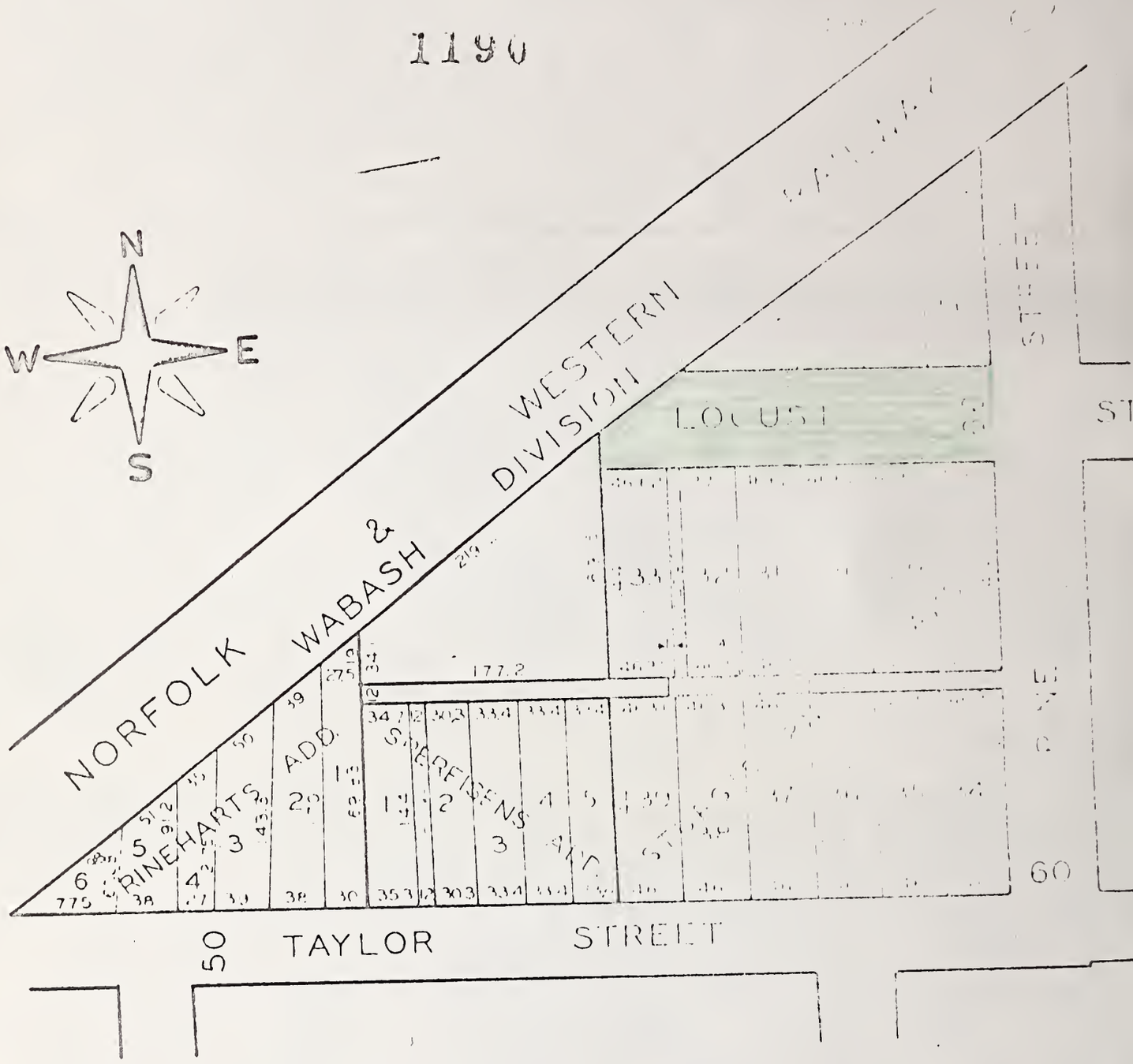
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S
NORFOLK & WABASH WESTERN DIVISION
LOCUST
RINEHARTS ADD.
SORENSENS
TAYLOR STREET
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60
177.2

"EXHIBIT A"

AN ORIGINAL POLAROID® LAND PHOTOGRAPH

SUBJECT _____ DATE 10/18/73

NAME _____

ADDRESS _____

For your convenience when ordering copies, indicate the number of copies desired in the appropriate box for the size(s) you select. You can get quality work by Polaroid Copy Service through your dealer or by mail.

REGULAR SIZE COPIES	
WALLET SIZE COPIES	
5 x 7 ENLARGEMENTS	
8 x 10 ENLARGEMENTS	
35mm SLIDES	

P558B-1 4/72

Printed in U.S.A.

AN ORIGINAL POLAROID® LAND PHOTOGRAPH

SUBJECT _____ DATE 10/24/73

NAME _____

ADDRESS _____

_____

REGULAR SIZE COPIES	
WALLET SIZE COPIES	
5 x 7 ENLARGEMENTS	
8 x 10 ENLARGEMENTS	
35mm SLIDES	

For your convenience when ordering copies, indicate the number of copies desired in the appropriate box for the size(s) you select.

P558A-1 5/70

Printed in U.S.A.

ALLEY

drive looking east

H 3 2 6 3 4 1 D J

LOCUST EAST of PINE

H 3 2 6 3 1 D F

LOCUST WEST OF PINE

H 3 2 6 3 4 1 5 1

PINE NORTH of LOCUST

H 3 2 3 3 1 D F

Erie Materials have practically closed Pine Street from Locust St. to R.R. (stone, etc)

Mr. Helen McIntosh
616 Locust
612 "
604 "

745-7839

file delivery - etc.

Marilyn [illegible] - [illegible]

INSERT

ARTICLE

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2 INDIANA

60-110-3

B.O. 83-1969

Date October 26, 1973

To STREET ENGINEERING DEPARTMENT

Subject Dec. Res. No. 1350-1973 vacation of Locust Street etc.

Please prepare Assessment Roll of Benefits and Damages.

J. D. Boswell
R. L. Bonar
W. G. Williams
BOARD OF PUBLIC WORKS

ajf

attach P.O. List

RECEIVED
OCT 26 1973
CITY ENGINEERING DEPT.

Signed

Reply:

October 30, 1973

Assessment roll of benefits and damages completed and attached.

Kenneth N. Traylor
Street Engineer

lc
attachs.

60-131-6

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

THE CITY OF FORT WAYNE

board of public works

December 6, 1973

SUBJECT: Public Hearing

Dear Councilman: (Nuckols)

Please be advised that the Board has scheduled a public hearing Thursday, December 13, 1973 at 3:30 p.m. concerning the following project(s):

Declaratory Res. No. 1350-1973 - Vacation of Locust Street. (Confirmation of Assessment Roll)

Declaratory Res. No. 1351-1973 - Vacation of the first alley north of Creighton Avenue. (Confirmation of Assessment Roll)

Declaratory Res. No. 1353-1973 - Vacation of Jefferds Avenue. (Hearing on Confirmation)

You are invited to attend this public hearing and hear the comments of your constituents regarding the project(s). If you have any questions on the project(s), please feel free to call.

Sincerely,

Jerry D. Boswell
Ronald L. Bonar
William G. Williams
BOARD OF PUBLIC WORKS

/bt

cc: Mayor

Department of Public Works

Office of the Board: Room No. 910 City-County Building

Fort Wayne, Indiana, Dec. 3, 1973

.....

.....

City:

Notice is hereby given you that an assessment of benefits, or award of damages, on account for the vacation of Locust Street from the west right of way line of Pine Street to its western terminus.

has been made against property, situated in the City of Fort Wayne, in Allen County, State of Indiana, recorded as being owned by you, known and described as follows, which assessment of benefits is set opposite said description:

	BENEFITS	DAMAGES
	$1.00	$1.00

All in pursuance to Declaratory Resolution No. 1350-73, adopted by the Board of Public Works of said City, on the 19th day of November, 1973, authorized by the provisions of an act of the General Assembly of the State of Indiana, approved March 6th, 1905. Entitled "An Act Concerning Municipal Corporations," and under all acts amendatory thereto and supplemental thereof.

The Board of Public Works will meet, in its office, at 3:30 o'clock P. M., on the 13 day of December, 1973, for the purpose of hearing and considering any remonstrance which you may desire to present in regard to the amount of your assessment of benefits or award of damages, as aforesaid.

By Order of

BOARD OF PUBLIC WORKS.

1350-73

NOTICE

OF ASSESSMENT OF BENEFITS OR AWARD OF DAMAGES

Against .....

.....

.....

Account Dec. 1350-1973.....

.....

.....

Served on .....

.....

by reading and leaving a copy at

.....

No. ..... Street

on the..... day of....., 19.....

Served by .....

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

B.0.83-69

53-184-11

Date May 28, 1969

To Sewer Engineer

Subject VACATION - Locust Street

Received a petition to Vacate Locust Street from the western edge of Pine Street a distance of approximately one-half block to its western terminus.

Prepare an opinion, after conferring with all Governmental Agencies and Utilities.

Fred S. Ehrman
Robert W. Dahman
George F. Gable
BOARD OF PUBLIC WORKS

ic
encl. copy of petition

Signed

Reply:

September 25, 1973

Declaratory Resolution No. 1350-1973 for the vacation of Locust Street, drawing and property ownership list completed and attached.

The entire street is to be retained as an easement.

NOTED
☑ J.D.B.
☑ R.L.B.
☐ W.G.W.
Date

BOARD OF PUBLIC WORKS
RECEIVED
SEP 26 1973

Kenneth N. Traylor
Kenneth N. Traylor
Street Engineer

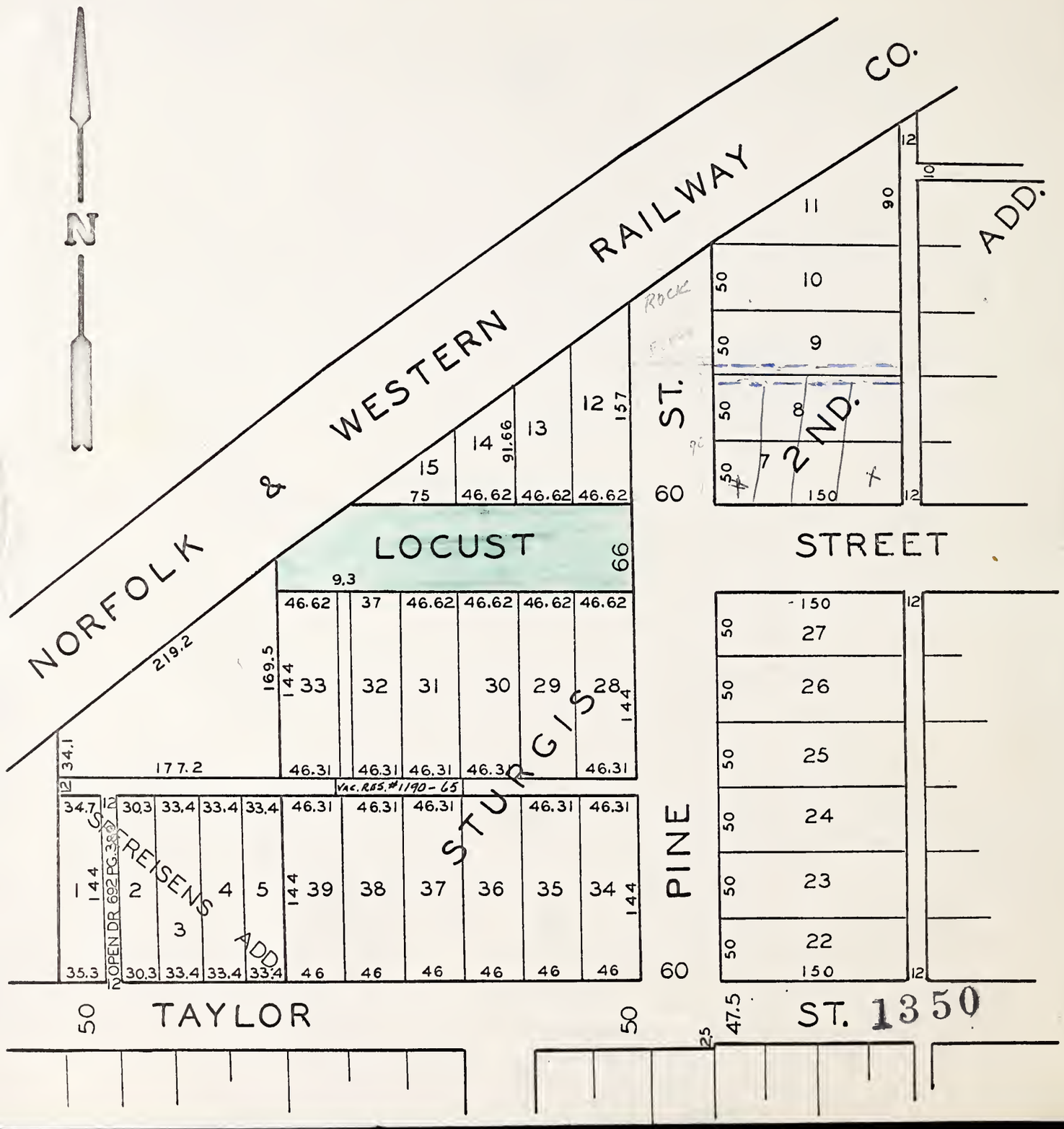
lc
attachs.

6-13-7

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

STREET TO BE VACATED



N O T I C E T O P R O P E R T Y O W N E R

Office Board of Public Works
City Hall
Fort Wayne, Indiana....October 12, 1973.....

To.....

You are hereby notified that the Board of Public Works, of the City of Fort Wayne, Indiana, did adopt Declaratory Resolution No..1350-1973..... providing for the

vacation of Locust Street from the west right of way line of Pine Street to its western terminus.

The Board has fixed Thursday, October 25, 1973 at 3:30, Room 910, City-County Bldg. a date and time when they will hear and consider objections or remonstrances from all persons whose property will be affected by said Declaratory Resolution.

PROPERTY DESCRIPTION:

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof.

BOARD OF PUBLIC WORKS

60-73-7

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 27th day of October, 1973 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1350-1973

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Locust Street from the west right of way line of Pine Street to its western terminus.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, the 25th day of October, 1973 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

Jerry D. Boswell
Ronald L. Bonar
William G. Williams
BOARD OF PUBLIC WORKS

ATTEST: Edna I. Smith, Clerk

PUBLISH: October 5 & 12, 1973

/bt

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev 1967)

Board of Public Works, City Fort Wayne
(Governmental Unit)

To NEWS-SENTINEL Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head	number of lines	1
Body	number of lines	29
Tail	number of lines	5
	Total number of lines in notice	35

COMPUTION OF CHARGES

35 lines, 1 columns wide equals equivalent lines at .288¢ cents per line	$ 10.08
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 10.08

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type $5\frac{1}{2}$ point

Number of insertions two

Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date 10-17-73 19

Title Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 27th day of October, 1973 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1350-1973

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Locust Street from the west right of way line of Pine Street at its western terminus.

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Jerry D. Boswell
Ronald L. Bonar
William G. Williams
BOARD OF PUBLIC WORKS

ATTEST: Edna I. Smith, Clerk

10—5, 12

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city ~~town~~ of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

October 5 and October 12, 1973

A. M. Hostman

Subscribed and sworn to before me this 17th day of October 1973

Edith Stapleton
Notary Public

My commission expires March 8th, 1974

Claim No..... **Warrant No.....**

IN FAVOR OF

.....

.....

$.....

On Account of Appropriation for

.....

Appropriation No.....

Allowed....., 19.....

In the sum of $.....

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.....

I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently { Correct / Incorrect

.....

I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

.....

.....196.....

TABLE SHOWING PRICE PER LINE AND PER INSERTION FOR

SIZE OF TYPE	11 Em Column (132 Points) Number of Insertions			
	1	2	3	4
5½	.192	.288	.384	.480
6	.176	.264	.352	.440
7	.151	.227	.302	.378
7½	.14	.21	.28	.35
8	.132	.198	.264	.33
9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

Form Prescribed by State Board of Accounts

General Form No. 99 P (Rev. 1967)

Board of Public Works, City Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines		
Head	number of lines	1
Body	number of lines	29
Tail	number of lines	5
	Total number of lines in notice	35

COMPUTION OF CHARGES

35 lines, 1 columns wide equals equivalent lines at .2884 cents per line	$ 10.08
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	$ 10.08

DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions two

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla DeWald

Date 10-17-73, 19

Title CLERK

NOTICE TO PROPERTY OWNERS

Notice is hereby given by the Board of Public Works of the City of Fort Wayne, Indiana, that on the 27th day of October, 1973 the said Board deeming it necessary to make certain improvements adopted the following:

DECLARATORY RESOLUTION NO. 1350-1973

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to vacate Locust Street from the west right of way line of Pine Street at its western terminus.

All as shown by a plan of such proposed Vacation as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said Vacation shall be assessed against the property beneficially affected thereby.

The Board of Public Works has fixed Thursday, the 25th day of October, 1973 as the date on which remonstrances will be heard and considered from persons interested therein or affected thereby and on said day at 3:30 p.m., the Board will meet at its office for the purpose of taking final action thereon.

Jerry D. Boswell
Ronald L. Bonar
William G. Williams
BOARD OF PUBLIC WORKS

ATTEST: Edna I. Smith, Clerk

10—5, 12

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 times, the dates of publication being as follows:

October 5 and October 12, 1973

Arvilla DeWald

Subscribed and sworn to before me this 17th day of October 1973

Edith Stapleton
Notary Public

My commission expires March 8th, 1974

Claim No..... Warrant No.....

IN FAVOR OF

.....

.....

$.....

On Account of Appropriation for

.....

Appropriation No.....

Allowed....., 19....

In the sum of $.....

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I have examined the within claim and hereby certify as follows:

That it is in proper form.

That it is duly authenticated as required by law.

That it is apparently { Correct / Incorrect

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I certify that the within claim is true and correct; that the services therein itemized and for which charge is made were ordered by me and were necessary to the public business.

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.....196.....

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9	.117	.176	.234	.293
10	.106	.159	.212	.265
12	.088	.132	.176	.22

Note: Above table is based on a square of 250 ems.

DECLARATORY

~~Improvement~~ Resolution No. 1350-73 For THE VACATION of LOCUST STREET FROM THE WEST RIGHT-OF-WAY LINE of PINE STREET TO ITS WESTERN TERMINUS.

	OWNER'S NAME	ADDRESS	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	ERIE MATERIALS CORP.	720 TAYLOR ST	33 or 1 Vacated alley			STURGIS 2ND ADDITION
2	" " "	" " "	32			
3	" " "	" " "	31			
4	" " "	" " "	30			
5	" " "	" " "	29 N42			
6	" " "	" " "	28 N42			
7	" " "	" " "	12			
8	" " "	" " "	13			
9	" " "	" " "	14			
10	" " "	" " "	15			
11	" " "	" " "				
12						SPACE W of STS 52ND AD
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52	NOTICES MAILED ~~OR SERVED~~					
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55	By BT					
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63						
64						
65						
		TOTAL				

1350-73